IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 6767 of 2005

Between:

J. Ranga Swamy, W/o. J. Rangaiah,
R/o. Giddalur, Prakasam district.

..... PETITIONER

AND

1 The Regional Transport Authority, Rep. by its Secretary,
O/o. the regional Transport Officer, Ongole, Prakasam District.
2 The Motor Vehicle Inspector, Nandyal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the Nature of Writ of Mandamus, declaring the vehicle check report No. 0252205 dt. 16-3-2005 issued by the 2nd respondent and demanding the Tax without enquiry by the 1st respondent is illegal, improper and unjust and against the principles of Natural Justice further direct the respondents herein to release the Petitioner's vehicle bearing Registration No. AP27/U6753 which was seized pursuant to the said vehicle check report of the 2nd respondent and kept the vehicle at Panyam Police Station to the Petitioner herein forthwith.

Counsel for the Petitioner: MR.S.A.K.MYNUDDIN

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

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THE HON'BLE SRI JUSTICE G.BIKSHAPATHY

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AND

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THE HON'BLE SRI JUSTICE P.S.NARAYANA

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W.P.NO.6767 OF 2005

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ORDER: (per the Hon'ble Sri Justice G.Bikshapathy)

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The writ petition is filed seeking release of the vehicle, bearing Registration No.AP 27/U6753. The grievance of the petitioner is that the vehicle was seized without there being any valid reasons, and therefore, it has to be released.

2. We have heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

3. In view of the facts and circumstances of the case, writ petition is disposed of directing the respondents that if any tax is due on the vehicle, the vehicle shall be released on payment of tax due, and if no tax is payable, the vehicle shall be released forthwith.

4. With the above direction, writ petition is disposed of. No costs.

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G.BIKSHAPATHY, J.

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P.S.NARAYANA, J.

Dated 31-03-2005.

Note: Issue C.C. by 02-04-2005.

B/O

Skmr

Copy to:

1 The Secretary, Regional Transport Authority,
O/o. the regional Transport Officer, Ongole, Prakasam District.
2 The Motor Vehicle Inspector, Nandyal, Kurnool District.

3 2 CCs to G.P. for Transport, High Court Buildings, Hyderabad (OUT).

2 CD copies